

REMARKS

Examiner Walls is again thanked for her careful consideration of the present patent application. It is respectfully submitted, however, that the Examiner has failed to appreciate the differences between the claimed invention and the cited art.

The sole reference of record is WO97/30222. This reference discloses a conventional process for the production of paper using a flocculating agent and filler. In contradistinction to the present invention as set forth in claims 14, 17 and 32 and the claims that depend therefrom, the filler disclosed in the '222 reference is not pre-flocculated, but rather, the non-flocculated filler and flocculating agent are added to the slurry.

The Final Office Action states;

As stated above, claims drawn to a product are distinguished from the prior art by structure, i.e. differences in product characteristics, rather than the process by which it is made. The applicant appears to be relying on the fact that "applying a shearing force to the slurry... sufficient to limit the size of the floccs... to a size that is effective to enhance the retention of the floccs in a paper web" is what is unique about its claimed invention.... However, the Examiner believes that this claim recitation does not further limit the claims structurally or characteristically and, therefore, contends that the rejection over the prior art is proper.

Respectfully, the applicants disagree. In the examples set forth in the present application, it is seen that paper webs made with pre-flocculated filler and non-flocculated filler were prepared and comparatively evaluated. As seen, the properties of the paper web prepared in accordance with the invention are different from, and, in fact, are generally improved over, the paper webs made with non-flocculated filler. At table 3, page 19, for instance, it is seen that the GE scale brightness of the tested sample of flocculated filler sample was two points increased over that of the non-flocculated filler sample. This brightness increase is substantial. Reproduced below is a chart that illustrates the brightness and

opacity targets for various grades of paper (this chart was taken from papercatalogue.com, drafted by Walden-Mott Corporation, 225 N. Franklin Turnpike, Ramsey, New Jersey).

Grade Level	Brightness %	Opacity %		
		Basis Weights 17" x 22"/500 sheets		
		16#	20#	24#
Number 1 Premium	90-93	86-88	88-93	91-94
Number 1	87-89	82-83	86-88	89-92
Number 2	85-86	82-83	86-88	
Number 4 Super Premium	85-86	82-83	86-88	88-92
Number 4 Premium	83-85		86-88	
Number 4	80-83		85-88	
Number 1 Premium	90-93		87-92	91-94
Number 4 Super Premium	85-86		88-90	90-92

As seen from this table, even a difference in brightness of one GE point can be sufficient to affect the grade (and therefore the market price) of the paper. The GE brightness values for the handsheets of the Examples of the present application was generally lower than the values listed above, but the foregoing table illustrates that even a one point difference is noticeable and often significant.

With respect to the remaining claims (which specify coated broke) other examples and comparative examples demonstrate differences between the claimed invention and conventional paper. For instance, in Table 10, it is seen that the total retention exhibited in the paper of the invention is improved over the untreated coated broke control. Other properties of the paper were different (see Table 8). These claims are also patentable over the reference.

In short, it is seen from these examples that the paper web product of the invention is indeed structurally different from a paper web prepared using non-flocculated filler or untreated coated broke. Because the '222 publication does not disclose or suggest the use of pre-flocculated filler or the treated coated broke in accordance with the various claims of the application, it is respectfully submitted that the reference does not anticipate or render obvious any of the claims of the present application.

Respectfully submitted,



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